**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE SIDE**
CICIL APPLICATION 1127 OF 2007
IN
**WRIT PETITION NO. 639 OF 1996**

M/s. Industrial Clearing Services.... Petitioner

versus

Kirloskar Cummins Employees Union
and others ..... Respondent.

Shri S.P.Salkar for the petitioner.
Mrs. Seema Sarnaik for the respondent

**CORAM; A.P. DESHPANDE, J.**
**DATED; 30TH APRIL, 2007**

**P.C.;**

1. This writ petition came to be dismissed by an order dated 21-2-2007, as the learned counsel stated that he has no instructions in the matter. The applicants came to know about the order when they received the notice about the hearing of the civil application. By filing the C.A.No. 1127 of 2007, the applicant/petitioner is making a prayer for setting aside the said order and for restoration of the writ petition for adjudication of the merit of the matter. Hence for the reasons stated in the application, the C.A. is allowed. The impugned order passed by this court dated 21-2-2007 is quashed and set aside. Writ petition is restored to file subject to payment of cost Rs. 5000/- by the petitioner to the respondent

no.1 within a period of two weeks from today. Failure to make the payment within the time stipulated, will result in revocation of this order. C.A. is accordingly disposed of. The other C.A. is adjourned to 22nd of June 2007.

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